

Notice of Allowability	Application No.	Applicant(s)	
	09/749,102	SCHUBRING ET AL.	
	Examiner	Art Unit	
	Ramesh B. Patel	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/17/2004.
2. ☒ The allowed claim(s) is/are 1,3-20,53,54 and 56-61.
3. ☒ The drawings filed on 27 December 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. Claims 1, 3-20, 53-54 and 56-61 are allowed. Claim 2 has been canceled due to the amendment filed on 3/22/2004 and nonelected claims 21-53 and 55 are canceled by the Examiner's amendment as stated below.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Tufte, Brian N. (Reg. No. 38,638) on 9/9/2004.

3. The application has been amended as follows to cancel nonelected claims 21-53 and 55:

I. Claims 21-53 and 55 are canceled without prejudice or disclaimer.

4. The following is an examiner's statement of reasons for allowance: the prior art of the record fails to teach or fairly suggest in combination with the other elements and features of the claimed invention regarding claims 1, 3-20, 53-54 and 61, a replaceable media assembly for use with a system that receive the replaceable media, the system having a controller, the replaceable media assembly comprising: replaceable media; storage means containing stored information wherein the information includes characteristics of the replaceable media and is used by the controller of the system to adjust the future operation of the system based on one or more characteristic of the

Art Unit: 2121

replaceable media currently in the system; said storage means fixed to the replaceable media; regarding claims 56-57, a replaceable media assembly for use with a system that receive the replaceable media, the system having a controller, the replaceable media assembly comprising: replaceable media; storage means containing a micro-controller including a software upgrade for the system wherein the program cause the micro-controller to pass a number of performance parameters related to the replaceable media to the controller of the system; said storage means fixed to the replaceable media; regarding claims 58-59, a replaceable media assembly for use with a system that receive the replaceable media, the system having a controller, the replaceable media assembly comprising: replaceable media; storage means containing stored information wherein the information stored in the storage means includes a serial number or model number of the replaceable media and is used by the controller of the system to adjust the future operation of the system; said storage means fixed to the replaceable media; and regarding claim 60, a replaceable media assembly for use with a system that receive the replaceable media, the system having a controller, the replaceable media assembly comprising: replaceable media; storage means containing stored information wherein the information including current data related to the current replaceable media and not data from a previous replaceable media wherein the information is used by the controller to adjust the operation of the system currently using the replaceable media; said storage means fixed to the replaceable media.


Art Unit: 2121

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramesh B. Patel whose telephone number is 703-308-6673. The examiner can normally be reached on M-Th; 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ramesh B. Patel
Primary Examiner 9/9/04
Art Unit 2121

rp